

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCISCO LEYVA VILLAPUDUA,

Defendant.

8:18CR166

ORDER

This matter is before the Court on the Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (§ 2255 Motion), ECF No. 63.

IT IS ORDERED:

1. On or before November 1, 2019, the Defendant may reply to the Government's Response to Defendant's Motion under 28 U.S.C. § 2255, ECF No. 67, and the Government's Index of Evidence, ECF No. 68;
2. If the Defendant disputes any factual assertions in the Affidavit of Deborah Cunningham, ECF No. 68-1, and requests an evidentiary hearing, the Defendant must state which specific facts remain in dispute; and
3. The Clerk will send a copy of this Memorandum and Order to the Defendant at his last known address.

Dated this 15th day of October 2019.

BY THE COURT:

s/Laurie Smith Camp
Senior United States District Judge